

of the defendant situated in the county where such record and index are made and upon all real estate which defendant may thereafter acquire, situated in said county during the life of the judgment; and declaring an emergency."

Senator Rawlings moved that S. B. No. 7 be laid on the table subject to call.

The motion prevailed.

#### Motion to Call From Journal.

Senator Pace called from the Journal the motion by Senator Purl to reconsider the vote by which the conference report on H. B. No. 7 failed of adoption.

Senator Pace withdrew his motion.

#### Adjournment.

On motion of Senator Small, the Senate at 11:27 o'clock a. m., adjourned until 10:00 o'clock a. m., Wednesday.

### APPENDIX.

#### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, Oct. 30, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 13 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Oct. 29, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 13 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

### FOURTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
October 31, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Collie.   | Patton.     |
| Cousins.  | Poage.      |
| DeBerry.  | Purl.       |
| Duggan.   | Rawlings.   |
| Holbrook. | Redditt.    |
| Hopkins.  | Sanderford. |
| Hornsby.  | Small.      |
| Martin.   | Stone.      |
| Moore.    | Woodruff.   |
| Murphy.   | Woodul.     |
| Neal.     | Woodward.   |
| Oneal.    |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Regan. |
| Greer.    |        |

Prayer by the Chaplain.

On motion of Senator Woodward, further reading of the Journal was dispensed with.

#### (Petitions and Memorials.)

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

##### S. C. R. No. 7.

Senator Hornsby sent up the following resolution:

Whereas, It is possible for the State of Texas to obtain Federal funds for the erection of a State Courts' Building on State owned land within the City of Austin, Texas; and,

Whereas, Such a building, where the Appellate Courts, the Attorney General's Office, and the Supreme Court legal library might be centrally located, is badly needed, and would result in the saving of much time and expense to the State; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the State Board of Control be authorized and empowered to enter into negotiations with any of the agencies of the Federal Government, and to do all acts and perform all agreements as may be necessary, in order to obtain a Federal grant or funds for the erection of such a State Courts' Building on any land now owned by the State within the City of Austin, Texas; be it further

Resolved, That the Board of Control, in the obtaining of the funds

necessary for the construction of such building shall not be authorized to obligate or bind the credit of the State in any way, but in all other respects, it shall have full power and authority to do whatever may be requisite for the obtaining of said funds.

#### HORNSBY.

Senator Hornsby asked unanimous consent to take up and consider the resolution at this time.

Senator DeBerry objected.

Senator Hornsby moved to suspend the constitutional rule requiring resolutions to be sent to a committee and that the resolution be taken up and considered at this time.

Second reading of the resolution was called for.

The motion to suspend the rule prevailed by the following vote:

#### Yeas—24.

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Collie.   | Patton.     |
| Cousins.  | Poage.      |
| Duggan.   | Purl.       |
| Holbrook. | Redditt.    |
| Hornsby.  | Sanderford. |
| Martin.   | Small.      |
| Moore.    | Stone.      |
| Murphy.   | Woodruff.   |
| Neal.     | Woodul.     |
| Oneal.    | Woodward.   |

#### Nays—1.

DeBerry.

Absent.

Hopkins.

Rawlings.

Absent—Excused.

Fellbaum.

Regan.

Greer.

The resolution was adopted by the following vote:

#### Yeas—22.

|           |             |
|-----------|-------------|
| Beck.     | Parr.       |
| Cousins.  | Patton.     |
| Duggan.   | Poage.      |
| Holbrook. | Purl.       |
| Hornsby.  | Redditt.    |
| Martin.   | Sanderford. |
| Moore.    | Small.      |
| Murphy.   | Stone.      |
| Neal.     | Woodruff.   |
| Oneal.    | Woodul.     |
| Pace.     | Woodward.   |

#### Nays—3.

Blackert.  
Collie.

DeBerry.

Absent.

Hopkins.

Rawlings.

Absent—Excused.

Fellbaum.

Regan.

Greer.

#### Senate Resolution No. 10.

Senator Holbrook sent up the following resolution:

Whereas, Texas peculiarly depends upon its trade with foreign nations to a greater extent than any other state in the Union, and in this trading has been, and is, now curtailed in the buying and bartering in respect to ninety per cent of all cotton grown within her territory, which has heretofore purchased goods from and exported her cotton to Europe and the Far East, and which exchanges have been brought to practically a complete standstill.

By reason of this deplorable condition the Senate of Texas feels that no laws enacted by Congress should deprive one group of American citizens of the right to trade or barter with nations of their own choosing, nor should any tax be levied upon articles of export as now applies under present laws to untagged bales of cotton which is in plain violation of Article I of the Federal Constitution which reads "No tax or duty shall be laid on articles imported from any State."

During more than half a century of the early life of this Republic we were admonished that this Nation could not survive half free and half slave. The same doctrine applies to the condition of the cotton farmers of Texas today for the reason that they are free only in their opportunity to compete with the world when they would sell their cotton and are enslaved and restricted to the markets of America when they would buy such products as they are forced to have.

Farmers of Texas desire no unfair tax in their behalf wrung from the industrial workers of the North, but they do demand an equal and unrestricted right of collective bargaining with foreign nations who purchase their products.

If the tariff protected industrialist would have us buy from him we must first sell to those who would buy from us.

If Europe would buy a billion dollars in cotton and wheat from American farmers, then these farmers should be given the privilege of having an opportunity of buying a billion dollars worth of products abroad. This is the only way that the channels of commerce and amity between nations may be kept open and the people within their respective domains may be able to live.

The Senate of Texas looks with great concern and apprehension upon the loss of foreign markets who are ready and willing to buy your Texas products, yet through unfair and discriminatory legislation of high protective tariffs with protection of one as against the other, both our factories and our farms are languishing in the slough. Thomas Jefferson once said, "Were we directed from Washington when to sow and when to reap we should soon want for bread." These words aptly apply to Federal legislation which seeks to direct the South as to whom it should sell its cotton and from whom it must buy its goods; therefore, be it

Resolved by the Senate of Texas, That a protest be, and is, hereby made to the President of the United States in respect to those high and successive import tariffs now in effect, which have in the past and now are interfering with the export business of this State and which are rapidly causing us to lose the cotton markets of Europe which have always consumed a vast majority of this product; to the end that the President will take immediate notice of the situation and so far as he can with the powers vested in him, bring about an immediate reduction and adjustment of those high tariffs which now restrain the foreign sale of her cotton and which will give us an unrestricted right of purchase from those to whom we sell, whether at home or abroad; be it further

Resolved, That a copy of this resolution be transmitted forthwith to the President of the United States with the hope that some substantial relief may be obtained at an early date by the lowering of these tariffs and again opening up our channels of commerce so that relief may be had among the cotton growers of our

State and that they be placed in a position where they will once more be selfsustaining.

Senator Holbrook moved to suspend the constitutional rule requiring resolutions be sent to a committee and that the resolution be taken up and considered at this time.

The rule was suspended, Senator Holbrook moved to print the resolution in the Journal, and that it be laid on the table subject to call.

The motion prevailed by viva voce vote.

#### Senators Excused.

Senator Greer was excused on account of important business on motion of Senator Beck.

Senator Regan was excused on account of important business on motion of Senator Moore.

#### Motion to Call Up Conference Report.

Senator Rawlings called up the motion to reconsider the vote by which the conference report on H. B. No. 7 failed of adoption and spread on the Journal.

Senator Collie called for the enforcement of Rule 92.

The Chair instructed the Sergeant-at-Arms to see that all persons not entitled to the privileges of the floor of the Senate be asked to retire.

#### Conference Report on H. B. No. 7.

Senator Collie asked unanimous consent that the motion to reconsider the conference report on H. B. No. 7 and spread on the Journal, be left pending.

Consent was granted.

#### House Bill No. 6.

#### Request to Print.

Senator Collie asked unanimous consent that the conference report on H. B. No. 6 be printed in the Journal.

Consent was granted.

Senator Collie gave notice that he would call up the conference report on H. B. No. 6, immediately after the morning call Thursday.

#### Notification.

Senator Woodul asked unanimous consent that all the absent Senators be notified that important tax measures will be taken up on Thursday and that the Secretary of the Senate

communicate with the absent Senators to that effect.

Unanimous consent was given.

### Conference Report.

By Hughes et al. H. B. No. 6.

### A BILL

### To Be Entitled

An Act providing for the assessment, levy, and payment of taxes for January 1, 1935, and setting out the time of such payment, and for the prescribing of forms and making exceptions; amending Article 7336 of the Revised Civil Statutes of Texas of 1925 as amended by Senate Bill 311, Chapter 117 of the General Laws of the 42nd Legislature, so as to provide for a graduated penalty on ad valorem and poll taxes of from one to eight per cent, and interest at six per cent from date of delinquency, and setting date of delinquency; releasing interest and penalties on ad valorem and poll taxes delinquent on or before August 1st, 1934 if paid on or before certain dates; providing for graduated penalties and interest on said delinquent taxes and making certain exceptions; providing the time for the payment of taxes delinquent on or before August 1, 1934, and the filing of suit to collect same; providing for the payment of delinquent taxes for any one year or years; providing for the repeal of all laws and parts of laws in conflict; providing that if any clause, section, sentence, paragraph or part of this act be adjudged and held invalid, such invalidity shall not invalidate the remainder; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. On and after January 1, 1935, ad valorem taxes shall be assessed and levied in such a way

(1) that such taxes, if entirely paid during the month of October the year for which such taxes are assessed, will be ninety-seven (97%) per cent of the amount that such taxes would be if paid after the expiration of said year;

(2) that such taxes, if entirely paid during the month of November of the year for which such taxes are assessed, will be ninety-eight (98%) per cent of the amount that such

taxes would be paid if after the expiration of said year; and

(3) that such taxes, if entirely paid during the month of December of the year for which such taxes are assessed, will be ninety-nine (99%) of the amount that such taxes would be if paid after the expiration of said year.

The Comptroller of Public Accounts shall prescribe suitable forms for tax rolls to be used by the Assessor and Collector of taxes in making such assessments and in crediting payment thereof.

The provisions of this section shall not apply to ad valorem taxes of any city, town or independent school district, unless and until the Governing body thereof shall pass an ordinance or resolution providing that the provisions of this section shall apply to ad valorem taxes of such city, town or independent school district.

Sec. 2. That Article 7336 of the Revised Civil Statutes of Texas, 1925, as amended by Senate Bill No. 311, Chapter 117, of the General Laws of the 42nd Legislature, Regular Session, be and the same is hereby amended so as hereafter to read as follows:

Article 7336. That if any person shall pay on or before November 30th of the year for which their assessment is made one-half of the taxes imposed by law on him or his property, then he shall have until and including the 30th day of the succeeding June within which to pay the other one-half of his said taxes without penalty or interest thereon during said time.

If said taxpayer after paying said one-half of his taxes on or before November 30th, as hereinbefore provided, shall fail or refuse to pay on or before June 30th next succeeding said November, the other one-half of his said taxes, a penalty of eight per centum on the amount of said unpaid taxes shall accrue thereon.

If any person fails to pay one-half of the taxes imposed by law upon him or his property on or before the 30th day of November of the year for which the assessment is made, then unless he pays all of the taxes imposed by law on him or his property on or before the 31st day of the succeeding January, the following penalty shall be payable thereon, to-wit: During the month of February, one per cent; during the month of March,

two per cent; during the month of April, three per cent; during the month of May four per cent; during the month of June, five per cent; and on and after the first day of July, eight per cent.

Provided that if any person fails to pay all of the poll taxes imposed by law upon him until after the thirty-first day of January next succeeding the year for which said poll tax was assessed, the following penalty shall be payable thereon, to-wit: During the month of February, one per cent; during the month of March, two per cent; during the month of April, three per cent; during the month of May, four per cent; during the month of June, five per cent; and on and after the first day of July, eight per cent.

All ad valorem and poll taxes shall become delinquent if not paid by July 1st, of the year next succeeding the year for which the return of assessment rolls of the county are made to the Comptroller of Public Accounts. All delinquent taxes shall bear interest at the rate of six per cent per annum from the date of their delinquency.

All penalties and interest provided in this Act, shall, when collected be paid to the State and the County, and to the districts, if any, in proportion to the taxes upon which the penalties are collected.

The Collector of Taxes shall, as of the first day of July, of each year for which any State and County taxes for the preceding year remain unpaid make up a list of the lands and lots on which any taxes for such preceding years are delinquent, charging against the same all unpaid taxes and penalties assessed against the owner thereof.

Said list shall be made in triplicate and shall be presented to the Commissioner's Court for examination and correction of any errors that may appear, and when so examined and corrected by the Commissioners' Court such lists in triplicate shall be approved by said court, and one copy thereof shall be filed with the County Clerk and one copy retained and preserved by the Collector and one copy forwarded to the Comptroller with his annual settlement reports. Such lists as furnished by the Tax Collector and corrected by the Commissioners' Court, and the rolls or books on file in the Collector's office, or

either said list or assessment rolls or books, shall be prima facie evidence that all the requirements of the law have been complied with by the officers of courts charged with any duty thereunder as to regularity of listing, assessing and levying all taxes therein mentioned and reporting as delinquent any real estate whatsoever, and that the amount alleged against said real estate is a true and correct charge; and in cases in which the description of the real estate in said list or assessment rolls or books is not sufficient to identify the same, and of which property there is a sufficient description in the inventories of the Assessor's office, then said inventories shall be admissible as evidence of the description of said property.

It shall be the duty of the Comptroller of Public Account to prescribe such forms for tax rolls to be used by the county tax assessors as may make it convenient for the collectors of taxes to note thereon the payment of taxes under the semi-annual installment payments provided for in this Act; and to prescribe such forms for receipts, and reports and such other forms for the use of the collectors of taxes as in his opinion may be advisable. This provision is cumulative of all other provisions of the Statutes of the State prescribing the duties of the Comptroller of Public Accounts.

Sec. 3. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1, 1934, due to the State or to any County, common school district, road district, levee improvement district, water improvement district, water control and improvement district, irrigation district and other defined subdivisions of the State shall be, and the same are, hereby released, provided said ad valorem and poll taxes are paid on or before January 31, 1935.

Sec. 4. That all interest and penalties that have accrued on all ad valorem and poll taxes that were delinquent on or before August 1, 1934, and not paid under the provisions of Section 3, of this act, due to the State or any county, common school district, road district, levee improvement district, water improvement district, water control and improvement district, irrigation district, and other defined subdivisions

of the State (except such cities, towns, villages, special school districts and independent school districts which do not adopt the provisions of this section) shall be and the same are hereby released, provided said ad valorem and poll taxes are paid during the month of February, 1935, with an addition of one per cent penalty on said taxes; and the same shall be and are hereby released provided said taxes are paid during the month of March, 1935, with an addition of two per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid during the month of April, 1935, with an addition of three per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid during the month of May, 1935, with an addition of four per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid during the month of June 1935, with an addition of five per cent penalty on said taxes; and the same shall be and are hereby released provided said ad valorem and poll taxes are paid after June 30, 1935, with an addition of eight per cent penalty on said taxes together with interest on said taxes at the rate of six per cent per annum, from July 1st, 1935; but it is especially provided that the penalties herein provided for shall not be cumulative.

It is provided that the provisions of Section 4 hereof shall not apply to cities, towns, villages, special school districts, and independent school districts unless and until the governing body of any such city, town, village, special school district, or independent school district finds that unusual or excessive default in the payment of ad valorem or poll taxes has occurred, and that an extension of time for the payment of such delinquent ad valorem and poll taxes will promote and accelerate the collection thereof, whereupon such governing body shall adopt a resolution or ordinance evidencing such findings and upon the recording of such findings of fact the provisions of this act shall be in full force and effect as to any such city, town, village, special school district, or independent school district.

It is hereby expressly and specifically provided that the penalties and interest herein released are released only on delinquent ad valorem and poll taxes and on no other taxes.

Sec. 5. Nothing contained in Section 3 and 4 of this act shall be construed as postponing, delaying, or extending the time for the payment of taxes delinquent on or before August 1, 1934, nor as prohibiting, postponing, or delaying the filing or the prosecution of any suits for the enforced collection of the same, provided that all interest and penalties shall be released as provided in Sections 3 and 4 hereof, and provided that in any suit now or hereafter filed for the collection of taxes delinquent on or before August 1, 1934, on real property, no additional costs shall be charged from the date this act becomes effective until on and after July 1, 1935.

Sec. 6. Any person, firm, association of persons or corporation desiring to pay at one time all delinquent ad valorem and poll taxes owed by such person, firm, association of persons, or corporation, for any one year or for any number of years, shall have the right to pay same under the provisions of this Act without at the same time paying any other taxes that may be then delinquent upon the same property.

Sec. 7. All laws and parts of laws in conflict with the provisions of this Act are hereby expressly repealed insofar as the same are in conflict with the provisions hereof.

Sec. 8. It is further provided that in case any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any Court of competent or final Jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confirmed in its operation to the section, clause, sentence, paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered.

Sec. 9. The fact that millions of dollars in taxes are now due and have been due to the State of Texas and its subdivisions for many years past by taxpayers who could and would not meet their obligations to the State Government if a reasonable penalty and reasonable rate of interest were charged and continued to be

charged to all taxpayers alike during the coming years, creates an emergency and imperative public necessity that the constitutional rule requiring all bills to be read on three several days in each House, be and the same is hereby, suspended, and this Act shall be in force and take effect from and after its passage, and it is so enacted.

#### Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, Oct. 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 11, A bill to be entitled "An Act to aid the city of Palacios and the village of Collegeport, both situated in Commissioner's Precinct Number 3 of Matagorda County, Texas, in constructing and maintaining seawalls, break-waters and shore protection, in order to protect said city and village from calamitous overflows by donating to them eight-ninths (8/9) of the ad valorem taxes collected on all property, both real and personal, in Commissioner's Precinct Number 3 of Matagorda County, Texas, for a period of thirty (30) years; providing for a commission to construct such seawalls, break-waters and shore protection; providing for compensation of the members of said commission; providing a penalty for misapplication of the moneys thus donated; and validating all proceedings and bonds authorized and/or issued under Chapter 61, Acts of the First Called Session of the Forty-third Legislature; and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, Oct. 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 23, A bill to be entitled "An Act changing the time of hold-

ing the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district; etc., and declaring an emergency."

H. B. No. 26, A bill to be entitled "An Act amending Article 1976, of Title 42, Chapter 1, of the 1925 Revised Civil Statutes of the State of Texas, so as to provide the actual possession of property not necessary to maintain action provided for in Article 1975, Title 42, Chapter 1, of the 1925 Revised Civil Statutes of Texas; providing the manner of service on defendant or defendants in such action, and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act validating bonds issued, authorized by ordinance to be issued and/or attempted to be issued under the authority of Articles 1111 to 1118, both inclusive, of the Texas Revised Civil Statutes of 1925, and the amendment thereto contained in Acts, 1933, Forty-third Legislature, page 320, Chapter 122, for the purpose of improving and extending an existing municipal sewer system by Home Rule cities having a population in excess of 100,000 inhabitants, according to the last preceding Federal Census, and which bonds are payable exclusively from and revenue of such systems, etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, Oct. 31, 1934.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

By Senators Hornsby, Holbrook, Hopkins, Woodward, Witt, Parr, Sanderford, Beck, Moore, Patton, Stone, Duggan, Woodruff and Poage.

S. B. No. 2, A bill to be entitled "An Act creating a conservation and reclamation district to be known as Lower Colorado River Authority, pursuant to and for the purposes set forth in Section 59 of Article 16 of the Constitution of the State of Texas, and to be a governmental

agency, body politic and corporate, without power to mortgage or encumber any of its property or to alienate any property necessary to its business, or to levy taxes or assessments or to create any indebtedness payable out of taxes or assessments, or to pledge the credit of the State; fixing the boundaries thereof; conferring thereon all powers, rights, privileges and functions conferred by general law upon districts created pursuant to said Section 59, except as expressly limited; conferring certain other powers thereon including the power to control, store, preserve, use, distribute and sell the waters of the Colorado River and its tributaries, to develop, generate, distribute and sell water power and electric energy, to acquire property by condemnation or otherwise, to construct, maintain, use and operate facilities, to make contracts, to borrow money, to create and issue its negotiable bonds for cash, property or refunding purposes on stated terms and conditions, and in connection therewith to pledge all or any part of its revenues; vesting the powers of the district in a board of directors and prescribing the manner for their appointment and their duties; providing for the appointment of officers, agents and employees; providing for the fiscal management of the district; preserving existing water rights, to the extent provided; prescribing all necessary details; making an appropriation of Ten Thousand Dollars (\$10,000) to the District; providing that if any provision of this Act shall be held to be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency."

(With amendments.)

Respectfully submitted,  
**LOUISE SNOW PHINNEY,**  
 Chief Clerk, House of Representatives.

#### House Bills Referred.

H. B. No. 23, referred to the Committee on Civil Jurisprudence.

H. B. No. 26, referred to the Committee on Civil Jurisprudence.

H. B. No. 31, referred to the Committee on Towns and City Corporations.

#### Adjournment.

On motion of Senator Small the Senate at 11:30 o'clock a. m., adjourned until 10 o'clock a. m., Thursday.

#### APPENDIX.

##### Petitions and Memorials.

Home Owners' Loan Corporation  
 Washington

Dallas, Texas, Oct 30, 1934.

Lt. Governor Edgar E. Witt,  
 Senate Chamber,  
 Austin, Texas.

Dear Governor:

I have your telegram—

"Please advise by wire collect approximate number of loans pending in which penalties and interest charges are involved. Also as to extent of beneficial results of legislation remitting penalties and interest on delinquent taxes."

to which I have replied as follows:

"Approximately four thousand applications pending Dallas office aggregating ten million eight hundred thousand dollars. Average tax delinquency sixty-seven dollars. Total tax delinquency approximately two hundred sixty-eight thousand dollars of this approximately forty thousand is penalty and interest."

For your information, we have pending in the Dallas office approximately 4000 applications for loans. We have concluded between 12 and 13,000 loans. The average of these loans runs about \$2700.00 each. We have selected 25 applications at random and find the tax delinquency on which penalties and interest have accrued average approximately \$67.00 per loan. Of this penalties and interest average 15½% each.

In other words, we have tax delinquencies on the 4000 applications aggregating \$268,000.00. Of this a little more than \$40,000.00 represents penalties and interest.

You will understand that the 1934 tax, which is now due, is not included in the above, but it must be paid on all loans consummated by us, since it will so shortly become delinquent. The 1934 tax burden must be added to the present tax delinquencies to ascertain the tax burden resting against the homes now in distress and to relieve which applications have been made to the Dallas office.

To get the situation as it pertains to the entire State you should multiply this approximately by three, since the San Antonio and Houston districts are not included in this report. While we do have the Amarillo office included, yet it represents a relatively small volume of business,



and the loans being consummated in the northern district of Texas are relatively smaller than those of the San Antonio and Houston districts. It is also true, I think without question, that their tax burdens and delinquencies are heavier than those of the Dallas district.

Trusting the above is sufficiently accurate to meet your requirements, and with best personal regards, I am

Very sincerely yours,

A. M. FRAZIER,  
District Counsel.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Oct. 31, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 7 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

#### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, Oct. 31, 1934.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 11 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

#### FIFTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
November 1, 1934.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll disclosed a quorum, the following Senators being present:

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Parr.       |
| Collie.   | Patton.     |
| Cousins.  | Poage.      |
| DeBerry.  | Purl.       |
| Duggan.   | Rawlings.   |
| Holbrook. | Redditt.    |
| Hopkins.  | Regan.      |
| Hornsby.  | Sanderford. |
| Martin.   | Small.      |
| Moore.    | Stone.      |
| Murphy.   | Woodruff.   |
| Neal.     | Woodul.     |
| Oneal.    | Woodward.   |

#### Absent—Excused.

Fellbaum.

Greer.

Prayer by the Chaplain.

On motion of Senator DeBerry, further reading of the Journal was dispensed with.

#### Petitions and Memorials.

(See Appendix.)

#### Bills and Resolutions.

##### Senate Bill No. 14.

Senator Beck sent up the following bill:

By Senator Beck:

S. B. No. 14, A bill to be entitled "An Act making an appropriation of fifteen hundred (\$1500.00) dollars, or so much there of as may be necessary, out of any money in the State Treasury not otherwise appropriated, to be used by the State Depository Board to pay rent for safety deposit boxes rented by the board from any bank located in the City of Austin for the purpose of depositing securities, where such obligations for rent have been incurred by the State Depository Board pursuant to Article 2530, Revised Statutes of 1925, as amended by the Acts of the Forty-third Legislature, Regular Session, or as amended by the Acts of the Forty-third Legislature, Second Called Session; and declaring an emergency."

Read and referred to the Committee on Finance.

#### Special Order Set.

Senator Hornsby moved that the Senate do not concur in House amendments to S. B. No. 2, and that a conference committee be appointed to adjust the differences between the House and the Senate, and that the motion be set for special order Friday after the morning call.

The motion prevailed by viva voce vote.

#### Bill Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

S. B. No. 11.